

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	Cholesterol Control Laboratories, Inc.
Mark:	POLYCOSANOL USA & Design
Serial No.:	76/120,200
Filing Date:	February 17, 2000

REQUEST FOR RECONSIDERATION

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

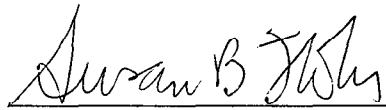
Sir:

In response to the Office Action dated February 9, 2001, applicant has filed on this same date an Amendment that corrects all informalities and provides a sufficient basis for the Examining Attorney to reconsider and withdraw his final refusal under section 2(d), which is incorporated herein by reference as if fully set forth herein.

The Examiner has made final his refusal under section 2(d) in view of Reg. No. 1,008,307. Applicant submits that the refusal is not warranted and should be withdrawn in view of the amendment of the drawing to show the mark as it is actually used and as is set forth on the specimen of record, namely POLYCOSANOL USA & Design. The combined differences in the marks obviates any likelihood of confusion, the marks are simply not sufficiently similar to be confusing to prospective purchasers.

The application is now believe to be in condition for acceptance and publication. An early and favorable action is solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Susan B. Flohr", written over a horizontal line.

Susan B. Flohr, Esq.
Attorney for Applicant

August 12, 2002

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TRADEMARKS
ATTORNEY REF. NO. 111605.00102

BOX RESPONSE/NO FEE

Commissioner of Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

TRANSMITTAL

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Submitted herewith are:

- Request for Reconsideration (2 pages)
- Postcard

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment of fees in connection with this communication to Deposit Account No. 23-2185.

Respectfully submitted,

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Attorney for Petitioner

CERTIFICATE OF HAND DELIVERY

I hereby certify that the foregoing has been deposited via courier service on August 12th, 2002, at the United States Patent and Trademark Office, addressed to the Commissioner of Trademarks, Box Response/No Fee, 2900 Crystal Drive, Arlington, VA 22202-3513.

Susan B. Flohr